

BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

David F. Arsenault

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on April 6, 2009 in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Chairman William Judge at 6:03 PM. Commissioners Robert Bourque and David Arsenault were present.

I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.

The minutes from the meeting held on March 16, 2009 were reviewed, approved and signed.

II. NEW APPLICATIONS

Compass Group NA d/b/a Chartwells for Special One Day Wine and Malt Beverages license for Fitchburg State College Foundation Fundraising Event on May 2, 2009 from 6PM to 12AM at FSC Recreation Center, North St.

Approved 3/0

Compass Group NA d/b/a Chartwells for Special One Day Wine and Malt Beverages license for a Reception on May 9, 2009 from 4PM to 7PM at the Newman Center, FSC.

Application withdrawn, event cancelled.

Friends of the Fitchburg Senior Center for Special One Day All Alcoholic Beverages license for a Country Band (Dance) on April 11, 2009 from 7PM to 12AM in O'Neil Hall, 14 Wallace Ave.

Approved 3/0

Friends of the Fitchburg Senior Center for Special One Day All Alcoholic Beverages license for a Wedding on April 18, 2009 from 1PM to 7PM at O'Neil Hall, 14 Wallace Ave.

Approved 3/0

St. Bernard's Elementary School for Special One Day Wine and Malt Beverages license for a Fundraiser Dinner on June 5, 2009 from 6PM to 10PM at 254 Summer St.

Approved 3/0

Center Ice Bar & Grill, 68 Airport Rd., Suite 10 for 2AM Late Closing Permit 7 days per week.

Approved 3/0

III. HEARINGS

For Failed Compliance Check conducted by Fitchburg Police Dept on March 6, 2009

Marconi Club
Singapore
SS Lobster
The Cellar

Super Liquors
Kappy's
Espresso Pizza

Spinners
Courtyard Marriott
Fat Jack's

Getty Gas Station
American Legion
Café Destare

The following individuals were present on behalf of the named establishments and signed the attendance roster:

American Legion: Harold Brown; Café Destare: Kimberly Pirani and Lance Dellogono; Courtyard Marriott: James M. Wolfe and Kathryn Hurton; Fat Jack's: John Kelly; Getty Gas Station: Saurabh Patel; Kappy's: Cathy McGuirk, Stuart Sheinhait and Stephen Miller; Marconi Club: William Burke and Chelsea Meunier; Singapore: Wallace Chung and Sam Duong; Spinners: Lawrence Marshall and Bia Zarycki; SS Lobster: Mark Strazdas and Wendy Strazdas; Super Liquors: John Sann, Michael Sann and Sre Long; The Cellar: Fred Blake and Bia Zarycki.

Attendees then checked in with the clerk to ascertain if all requested documentation was on hand. All licensees brought with them all required documentation.

Joshua Tackett from LUK, Inc. FCAT briefly described the compliance check procedure and their proposed corrective action.

FPD Sgt. Mark Jackson described the compliance check procedure.

Violation was determined to have occurred (service of alcohol to a minor) at all named establishments. The following penalties were issued and the establishments agreed to accept them:

Hampton Fish, Super Liquors, Kappy's, Courtyard Marriott, Café Destare, Singapore, Getty Gas Station, Fat Jack's:

By vote of 2 in favor and 1 opposed (Bourque) licensee is issued a WARNING which will be placed on file and the manager of record or a duly authorized representative of the establishment must attend two (2) FCAT (Fitchburg Community Action Team – LUK, Inc.) meetings.

Marconi Club, Spinners, The Cellar, American Legion:

By vote of 3 in favor and 0 opposed license is suspended for ONE (1) day. Suspension to be held in abeyance for six months.

All establishments present declined the opportunity to question the underage operatives who worked the compliance checks.

Espresso Pizza:

Was not present. Hearing for Espresso Pizza continued to April 22, 2009.

IV. OTHER

Proposal by Fitchburg Community Action Team:

This is a request to propose corrective action for the licensees who failed the compliance check conducted in Fitchburg on March 6th 2009. The Fitchburg Community Action Team (FCAT) recommends that the licensees found in noncompliance will be asked to be a part of a sub-committee of the FCAT for a period of 6 months with the expectation to attend 4 months worth of meetings. This sub-committee would be made up primarily of license holders or people empowered by them to make decisions on behalf of their establishment. The meetings of this sub-committee (monthly or more as needed) will be facilitated by a member of the FCAT. The goal of this sub-committee will be to develop and commit to the implementation of best practices and recommendations for policies and procedures for license holders.

The recommendations developed and agreed upon by the sub-committee will be presented to the Fitchburg Liquor License Commission at the end of the 6 month period. FCAT also recommends that the licensees be required to recertify their staff in TIP of server training in order to reacquaint them with proven methods to identify underage drinker/buyers as well as strategies for dealing with intoxicated patrons.

Proposal reviewed and utilized in penalties for certain establishments (see above).

- New Regulation: Add Section 1A – License Commission Fees
Approved 3/0.
- Change to Compliance Check Regulations:
Change the following existing language,
“ The underage person should not be carrying any identification when taking part in the compliance checks.”
To read as follows:
“ The underage person should carry their own personal driver’s license when taking part in the compliance checks.”
By vote of 3/0 Regulation changed to read as follows, “ The underage person should carry their own personal driver’s license or MA State Liquor ID when taking part in the compliance checks.”
- Taxi Driver Applications
Approved for two years: Arthur Johanningsmeier, Jason Gonyea, Christopher Green, Jillian Richard, Teala Covington.
- Any other matter that may come before the License Commission as time permits
Reluctantly, the Board received the following letter from Commissioner David Arsenault:
To: Honorable Mayor, Lisa A. Wong, City of Fitchburg
Fr: David F. Arsenault, Board of License Commissioners
Re: Reappointment to Board of License Commissioners
Dt: 04/06/09
Honorable Mayor Wong,
It is with regret that I inform you that I will not be seeking reappointment to the City of Fitchburg Board of License Commissioners. My appointment will end on May 9, 2009.
It has been both an honor and a privilege to have served the citizens of the City of Fitchburg both as a police officer and as a member of the Board of License Commissioners.
I thank you for allowing me the opportunity to serve in these capacities.
Respectfully submitted,
David F. Arsenault, Commissioner

The meeting adjourned at 8:45 PM.

Respectfully submitted,

Anna M. Farrell, Clerk

Approved:

William A. Judge

Robert A. Bourque

David F. Arsenault